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A/C.3/46/L.67
5 December 1991

ORIGINAL: ENGLISH

Forty-sixth session
THIRD COMMITTEE
Agenda item 94 (b)

SOCIAL DEVELOPMENT: CRIME PREVENTION AND CRIMINAL JUSTICE

Ghana*: draft resolution

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its decision 45/428 of 14 December 1990 and Economic and Social Council resolution 1990/19 of 24 May 1990,

Considering the impact of carefully considered and formulated international standards and the world-wide improvement in the functioning of criminal justice systems,

Conscious of the vital role of regional cooperation in the fight against crime and of the potential contribution of interregional and regional institutes in the prevention of crime and the treatment of offenders,

Recognizing the important role of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders in organizing, inter alia, training programmes and regional seminars, conducting research in the field of criminal justice, providing advisory opinion on policy matters, promoting and facilitating cooperation among the States of the region with the United Nations and the need to provide sufficient resources to the Institute, particularly in view of its increasing workload in response to strongly felt international concerns,

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* On behalf of the States Members of the United Nations that are members of the African Group.

Aware of the difficulties faced by the Institute owing to the non-availability of required resources,

Aware also that resources to the Institute have failed to keep pace with the expansion of its responsibilities, owing to the fact that many States of the African region are in the category of the least developed countries and, therefore, lack the necessary resources with which to support the Institute,

Recalling that the Secretary-General, in his report on the work of the Organization for 1991, 1/ stressed the need for effective intergovernmental mechanisms and much stronger judicial and police cooperation among States owing to an upsurge and transnationalization of crime,

Having considered the report of the Secretary-General on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders and other United Nations institutes for crime prevention and criminal justice, 2/

1. Calls upon Governments and intergovernmental and non-governmental organizations to provide financial and other support to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders in the fulfilment of its objectives, particularly those concerning training, technical assistance, policy guidance, research and data collection;

2. Requests the Secretary-General to ensure that sufficient resources are provided to the Institute within the overall appropriations of the budget for the biennium 1992-1993 to enable the Institute to carry out, in full and on time, all its mandates;

3. Decides to consider the implementation of the present resolution at its forty-seventh session under the item entitled "Social development: crime prevention and criminal justice".

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 1 (A/46/1), sect. X.

2/ A/46/524.

UNITED
NATIONS

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General Assembly

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A/C.3/46/L.68
6 December 1991

ORIGINAL: ENGLISH

Forty-sixth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Working Group on the Rationalization of the Work of the Third Committee

1. At its 2nd meeting, on 2 October 1991, the Third Committee decided to establish an informal open-ended Working Group on the Rationalization of the Work of the Third Committee, under the chairmanship of Mr. Florian Krenkel (Austria), to consider outstanding issues on the rationalization of the work of the Third Committee and to submit a draft biennial programme of work for the Third Committee for 1992-1993.

2. The Working Group met on 25 and 31 October and on 4 and 5 December 1991.

3. The Working Group recommends that the Third Committee recommend to the General Assembly the adoption of the following draft resolution:

"The General Assembly,

"1. Takes note of the report of the Working Group on the Rationalization of the Work of the Third Committee; 1/

"2. Reaffirms the recommendations on the rationalization of the work of the Third Committee contained in General Assembly resolution 45/175 of 18 December 1990 and recommends further measures on the organization of its work, as outlined in annex I to the present resolution;

1/ A/C.3/46/L.68.

"3. Approves the biennial programme of work of the Third Committee for 1992-1993, as contained in annex II to the present resolution;

"4. Requests the Secretary-General to draw up the provisional agenda for the Third Committee of the General Assembly at its forty-seventh session, in accordance with the present resolution."

ANNEX I

FURTHER MEASURES FOR THE RATIONALIZATION OF THE WORK OF THE THIRD COMMITTEE

A. Guidelines concerning time-limits and number of statements by delegations and Secretariat officials

1. In accordance with rule 106 of the rules of procedure of the General Assembly and paragraph 22 of decision 34/401 on the rationalization of the procedures and organization of the General Assembly, at the beginning of each session, the Chairman should propose to the Third Committee the limitation of the time to be allowed to speakers.

2. Further to General Assembly resolution 45/175 of 18 December 1990, on the rationalization of the work of the Third Committee, statements made by delegations or on behalf of groups of delegations and by Secretariat officials, unless decided otherwise by the Committee at the beginning of the session, should not exceed 15 minutes. This time-limit will have to be applied with a degree of flexibility towards all speakers. With a view to saving time, all speakers are encouraged to exercise self-discipline, in particular delegations associated with group statements. For practical reasons, group statements are encouraged for the first day of the discussion of an item or sub-item. In this connection, it is important to emphasize the timely distribution of documentation in accordance with the rules of procedure of the General Assembly, in order to enable delegations to inscribe themselves on the list of speakers at an early stage.

Introductory statements by Secretariat officials

3. In addition to the provisions contained in General Assembly resolution 45/175 concerning introductory statements by Secretariat officials, introductory statements should be made at the beginning of the discussion of an item.

Statements under items entitled "Elimination of racism and racial discrimination" and "Right of peoples to self-determination"

4. In accordance with General Assembly resolution 45/175, the above items are to be discussed jointly.

5. Delegations wishing to make two separate statements, i.e., one on each of the above items may do so.

Statements under the item entitled "Social development"

(a) Questions relating to the world social situation and to youth, ageing, disabled persons and the family;

(b) Crime prevention and criminal justice.

6. In accordance with General Assembly resolution 45/175, sub-items (a) and (b) are to be discussed separately.

7. Delegations wishing to make two separate statements under sub-item (a) may do so.

Statements under the item entitled "Human rights questions"

(a) Implementation of human rights instruments;

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

(c) Human rights situations and reports of special rapporteurs and representatives.

8. In its resolution 45/175, the General Assembly recommended that sub-item (a) be discussed separately, and sub-items (b) and (c) be discussed jointly.

9. Delegations wishing to make two statements under this item may do so, but no statement should be made on any of the sub-items twice.

B. Introduction of draft resolutions

10. Introductory statements of draft resolutions should be as brief as possible.

C. Draft resolutions on reports of treaty bodies and reports of the Secretary-General on the status of those treaties

11. Reports of all treaty bodies will, in accordance with their respective legislative mandates, be submitted to the General Assembly annually. Substantive resolutions on those reports should be adopted biennially, in accordance with the programme of work of the Third Committee. Where possible, it is recommended that separate draft resolutions on the status of the treaties not be submitted but incorporated in the draft resolution relating to the report of the treaty body. In alternate years, the Committee should simply take note of the reports unless more substantive action is deemed appropriate.

D. Draft proposals emanating from subsidiary organs of the Economic and Social Council

12. The Economic and Social Council, in transmitting draft proposals to the General Assembly should, to the extent possible, bear in mind the programme of work of the Third Committee.

E. Organization of work

13. An informal meeting of the Third Committee should be held immediately after the election of the members of its Bureau in order to consider the programme of work of the Third Committee based on a draft to be prepared by the Secretariat and to consider other organizational aspects relating to the Committee's work, especially the status of documentation.

14. The items allocated to the Third Committee during the forty-seventh session of the General Assembly should be taken up in the following order:

Item 2. Elimination of racism and racial discrimination 2/

Item 3. Right of peoples to self-determination 2/

Item 4. Social development

(a) Questions relating to the world social situation and to youth, ageing, disabled persons and the family; 3/

(b) Crime prevention and criminal justice 3/

Item 5. Advancement of women

Item 6. Narcotic drugs

Item 8. Human rights questions

(a) Implementation of human rights instruments; 4/

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms 5/

2/ Items 2 and 3 to be discussed jointly.

3/ Sub-items (a) and (b) to be discussed separately.

4/ Sub-item (a) to be discussed separately.

5/ Sub-items (b) and (c) to be discussed jointly.

(c) Human rights situations and reports of special rapporteurs and representatives 5/

Item 7. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions:

(a) Report of the United Nations High Commissioner for Refugees 6/

(b) Questions relating to refugees, returnees and displaced persons 6/

(c) Humanitarian questions 6/

Item 1. Report of the Economic and Social Council [item 12]

15. This arrangement may be reviewed at the Third Committee's organizational meeting, particularly in the light of the status of documentation at that time.

F. General guidelines regarding the preparation and submission of draft resolutions

16. In drawing up draft resolutions, delegations are requested to adhere to the programme of work of the Third Committee agreed to in General Assembly resolution 45/175 and as reproduced below.

17. If a report is deemed necessary, clear indications should be given in the draft resolution regarding the contents, scope and nature of the report requested.

18. Delegations should be urged not to request the inscription of a separate item on the agenda of the Third Committee of the General Assembly if the subject matter can be dealt with under the existing agenda items indicated in General Assembly resolution 45/175.

19. With a view to ensuring adequate time for the proper consideration by the Third Committee of draft proposals, delegations are encouraged to circulate their draft texts as early as possible.

20. In this connection, delegations are invited to take into account the general guidelines agreed upon in General Assembly resolution 45/175 regarding the submission of draft proposals, as set out below: 7/

6/ Sub-items (a), (b) and (c) to be discussed jointly.

7/ Reference to "even" or "odd" years relate to calendar years.

Item 1. Report of the Economic and Social Council

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

- Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. Elimination of racism and racial discrimination

Annual

Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

Report of the Committee on the Elimination of Racial Discrimination

Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

Biennial

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime of South Africa (even years)

Status of the International Convention on the Elimination of All Forms of Racial Discrimination (even years)

Item 3. Right of peoples to self-determination

Annual

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantees and observance of human rights

Universal realization of the right of peoples to self-determination

Use of mercenaries as a means to violate human rights and to impede the exercise of the right of people to self-determination (to be considered biennially after the entry into force of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries)

Item 4. Social development

(a) Questions relating to the world social situation and to youth, ageing, disabled persons and the family

Annual

World social situation 8/

Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons (biennially after end of Decade in 1992)

Implementation of the International Plan of Action on Ageing and related activities (biennially after 1993)

Biennial

Achievement of social justice (even years)

Policies and programmes involving youth (even years)

National experience in promoting the cooperative movement (even years)

Popular participation in its various forms as an important factor in development and in the full realization of all human rights (odd years)

Implementation of the Guiding Principles for Development, Social Welfare Policies and Programmes in the Near Future (odd years)

International Literacy Year (odd years)

International Year of the Family, 1994 (1993, 1994; thereafter, biennially, if necessary)

8/ (1992) General debate on the basis of the report of the Economic and Social Council.

(1993) Report on the world social situation and report of the Commission for Social Development.

(1994) General debate on basis of the report of the Economic and Social Council.

(1995) Interim report on the world social situation and report of the Commission for Social Development.

Quinquennial

Anniversary of the Declaration on Social Progress and Development (even years)

(b) Crime prevention and criminal justice

Biennial

International cooperation in combating organized crime (even years)

Crime prevention and criminal justice (odd years)

Quinquennial

Congress on the Prevention of Crime and the Treatment of Offenders (1995)

Item 5. Advancement of women

Annual

Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

Improvement of the status of women in the Secretariat

Biennial

Convention on the Elimination of All Forms of Discrimination against Women (even years)

International Research and Training Institute for the Advancement of Women (odd years)

United Nations Development Fund for Women (odd years)

National experience relating to the improvement of the situation of women in rural areas (odd years)

Item 6. Narcotic drugs

Annual

Implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances

International action to combat drug abuse and illicit trafficking

Respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking (1992) 9/

United Nations International Drug Control Programme (1992) 9/

Biennial

Implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (even years)

Item 7. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

(a) Report of the United Nations High Commissioner for Refugees

Annual

Office of the United Nations High Commissioner for Refugees

(b) Questions relating to refugees, returnees and displaced persons

Annual

International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa

International Conference on Central American Refugees

Assistance to refugees, returnees and displaced persons in Africa

(c) Humanitarian questions

Biennial

New international humanitarian order (even years)

Promotion of international cooperation in the humanitarian field (even years)

Humanitarian assistance to victims of natural disasters and similar emergency situations (even years)

9/ To be reviewed at the forty-seventh session of the General Assembly.

Item 8. Human rights questions

(a) Implementation of human rights instruments

Annual

Effective implementation of international instruments on human rights, including reporting obligations under international instruments of human rights

International Convention on the Protection of the Rights of all Migrant Workers and their Families (Mexico) (biennial after entry into force of the convention)

Biennial

Convention on the Rights of the Child (even years)

Report of the Committee against Torture and Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (even years)

United Nations Voluntary Fund for Victims of Torture (even years)

Status of the Convention on the Prevention and Punishment of the Crime of Genocide (even years)

International Covenants on Human Rights (odd years)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Annual

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

Right to development

Elimination of all forms of religious intolerance

Question of enforced or involuntary disappearances (biennially after the adoption of a declaration thereon)

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

Enhancing the effectiveness of the principle of periodic and genuine elections

World conference on human rights

Strengthening the Centre for Human Rights of the Secretariat

Non-discrimination and protection of minorities (1992) 9/

Human rights and extreme poverty (1992) 9/

International Year for the World's Indigenous People (1992, 1993 and 1994)

Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity [to be determined]

Biennial

Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (even years)

Summary or arbitrary executions (even years)

Development of public information activities in the field of human rights (even years)

International cooperation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms (even years)

Regional arrangements for the promotion and protection of human rights (even years)

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific regions (even years)

United Nations Voluntary Fund for Indigenous Populations (even years)

Human rights and mass exoduses (odd years)

Human rights in the administration of justice (odd years)

Human rights and scientific and technological progress (odd years)

National institutions for the protection and promotion of human rights (odd years)

(c) Human rights situations and reports of special rapporteurs and representatives

ANNEX II

DRAFT BIENNIAL PROGRAMME OF WORK OF THE
THIRD COMMITTEE FOR 1992-1993

1992 10/

Item 1. Report of the Economic and Social Council

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

Documentation

Relevant chapters of the report of the Economic and Social Council on questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. Elimination of racism and racial discrimination

Documentation

Relevant chapter of the report of the Economic and Social Council (resolution 46/___) (draft resolution A/C.3/46/L.9/Rev.1, para. 24)

Report of the Committee on the Elimination of Racial Discrimination (resolutions 2106 A (XX) and 46/___) (draft resolution A/C.3/46/L.8, para. 11)

Report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (resolutions 2106 A (XX) and 45/89)

Report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination (resolution 46/___) (draft resolution A/C.3/46/L.8, paras. 10 and 11)

Report of the Special Rapporteur on adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa (resolution 45/84)

Report of the Secretary-General on the activities relating to the Second Decade to Combat Racism and Racial Discrimination (resolution 46/___) (draft resolution A/C.3/46/L.9/Rev.1, paras. 16 and 24)

10/ The programme of work and documentation for 1992 will be revised in the light of the relevant decisions taken by the Economic and Social Council in 1992.

Report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (resolution 3380 (XXX) and draft resolution A/C.3/46/L.11, para. 11)

Item 3. Right of peoples to self-determination

Documentation

Report of the Secretary-General on the universal realization of the right of peoples to self-determination (resolution 46/___) (draft resolution A/C.3/46/L.12, para. 6)

Report of the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination (resolution 46/___) (draft resolution A/C.3/46/L.13/Rev.1, para. 10)

Item 4. Social development 11/

(a) Questions relating to the world social situation and to youth, ageing, disabled persons and the family 12/ 13/ 14/

Documentation

Relevant chapter of the report of the Economic and Social Council

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11/ General debate on the world social situation to be held on the basis of the report of the Economic and Social Council.

12/ In its resolution 46/___ (draft resolution A/C.3/46/L.5, para. 4), the General Assembly recommended that it devote four plenary meetings, that is, two working days, at its forty-seventh session to an international conference on ageing to consolidate a set of targets on ageing for the year 2001 and to celebrate on an appropriate global scale the tenth anniversary of the adoption of the International Plan of Action on Ageing.

13/ In its resolution 46/___ (draft resolution A/C.3/46/L.19, para. 19), the General Assembly invited special observance of the International Day for the Elderly on 1 October 1992, the tenth anniversary of the World Assembly on Ageing.

14/ In its resolution 46/___ (draft resolution A/C.3/46/L.21/Rev.1, para. 14), the General Assembly decided to devote four of its plenary meetings at its forty-seventh session to mark, at the appropriate global level, the conclusion of the United Nations Decade of Disabled Persons.

In its resolution 46/___ (draft resolution A/C.3/46/L.21/Rev.1, para. 19), the General Assembly requested the Economic and Social Council at its next session to give its views on the continuation of the Voluntary Fund for the United Nations Decade of Disabled Persons, with new terms of reference in response to General Assembly resolution 45/91 to submit its recommendations to the Assembly at its forty-seventh session.

In its resolution 46/___ (draft resolution A/C.3/46/L.62, para. 5), the General Assembly called upon the Economic and Social Council, after considering the report of the Secretary-General requested by Council decision 1991/230 on the possibility of convening a world summit for social development, to make an appropriate recommendation to the General Assembly at its forty-seventh session.

Report of the Secretary-General on the status and role of cooperatives in the light of new economic and social trends (resolution 44/58, para. 4)

Report of the Secretary-General on the implementation of the policies and programmes involving youth (resolution 45/103, para. 14)

Report of the Secretary-General on the implementation of the International Plan of Action on Ageing: integration of the elderly in development (resolution 46/___) (draft resolution A/C.3/46/L.19, para. 22)

Report of the Secretary-General on the implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons (resolution 46/___) (draft resolution A/C.3/46/L.21/Rev.1, para. 21)

(b) Crime prevention and criminal justice

Documentation

Relevant chapter of the report of the Economic and Social Council on international cooperation in combating organized crime (resolution 44/71, para. 3, and resolution 45/123, para. 3)

Item 5. Advancement of women

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the Committee on the Elimination of Discrimination against Women

Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (resolution 45/124, para. 4)

Report of the Administrator of the United Nations Development Programme on the United Nations Development Fund for Women (resolution 46/___) (A/C.3/46/L.14)

Report of the Secretary-General on the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (resolution 46/___) (draft resolution A/C.3/46/L.15, para. 30)

Report of the Secretary-General on a comprehensive study of the barriers to the advancement of women and an action programme for the advancement of women in the Secretariat for the period 1991-1994 (resolution 46/___) (draft resolution A/C.3/46/L.17, para. 5)

Item 6. Narcotic drugs

Documentation

Relevant chapter of the report of the Economic and Social Council on:

- Appointment of a Coordinator for the United Nations Decade against Drug Abuse, 1991-2000 (resolution 46/___) (draft resolution A/C.3/46/L.32, sect. I, para. 11)

- Economic and social consequences of illicit trafficking in narcotic drugs, psychotropic substances (resolution 46/___) (draft resolution A/C.3/46/L.32, sect. II, para. 3)

Report of the Secretary-General on the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (resolution 45/146, para. 7)

Annual report of the Secretary-General on the implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (resolutions 46/___ and 46/___) (draft resolutions A/C.3/46/L.31, para. 5, and A/C.3/46/L.22, para. 4)

Report of the Secretary-General on international action to combat drug abuse and illicit trafficking (resolution 46/___) (draft resolution A/C.3/46/L.32, sect. I, para. 23)

Report of the Secretary-General on the United Nations International Drug Control Programme (resolution 46/___) (draft resolution A/C.3/46/L.33, para. 11)

Item 7. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

(a) Report of the United Nations High Commissioner for Refugees

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the United Nations High Commissioner for Refugees

(b) Questions relating to refugees, returnees and displaced persons

Documentation

Report of the Secretary-General on the international Conference on Central American Refugees (resolution 46/___) (draft resolution A/C.3/46/L.29, para. 12)

Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (resolution 46/___) (draft resolution A/C.3/46/L.30, para. 11)

(c) Humanitarian questions

Documentation

Report of the Secretary-General on humanitarian assistance to victims of natural disasters and similar emergency situations (resolution 45/100, para. 8)

Report of the Secretary-General on a new international humanitarian order (resolution 45/101, para. 5)

Item 8. Human rights questions

(a) Implementation of human rights instruments

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the Committee against Torture (resolution 39/46)

Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 46/___) (draft resolution A/C.3/46/L.45)

Report of the Human Rights Committee

Report of the Secretary-General on the status of the Convention on the Prevention and Punishment of the Crime of Genocide (resolution 45/152, para. 5)

Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights, to contain the following:

(a) Financing and adequate staffing resources for the operations of human rights treaty bodies (resolution 46/___) (draft resolution A/C.3/46/L.41, para. 6 (b));

(b) Financial, legal and other implications of providing full funding for the operation of all human rights treaty bodies (resolution 46/___) (draft resolution A/C.3/46/L.41, para. 10)

[(c) Conclusions and recommendations of persons chairing treaty bodies, in the light of the deliberations of the Commission on Human Rights (resolution 46/___) (draft resolution A/C.3/46/L.41, para. 14)]

Report of the Committee on the Rights of the Child (resolutions 44/25 and 46/___) (draft resolution A/C.3/46/L.42, para. 10)

Report of the Secretary-General on the status of the Convention on the Rights of the Child (resolution 46/___) (draft resolution A/C.3/46/L.42, para. 14)

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (resolution 46/___) (draft resolution A/C.3/46/L.52, para. 6)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the development of public information activities (resolution 45/99, para. 16)

Report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (see decision 45/433)

Report of the Preparatory Committee for the World Conference on Human Rights (resolutions 45/155 and 46/___) (draft resolution A/C.3/46/L.26*, para. 8)

Report of the Secretary-General on the state of the regional arrangements for the promotion and protection of human rights (resolution 45/167, para. 10)

Report of the Secretary-General on the views of Member States on General Assembly resolution 43/124 regarding the impact of property on the enjoyment of human rights and fundamental freedoms (see decision 45/427)

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (resolution 45/168, para. 8)

Report of the Secretary-General on the preparation of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (resolution 46/___) (draft resolution A/C.3/46/L.3/Rev.1, para. 2)

Report of the Secretary-General on the developments relating to the activities of the Centre for Human Rights and on the measures to implement General Assembly resolution 46/___ (resolution 46/___) (draft resolution A/C.3/46/L.36, para. 3)

Report of the Secretary-General on the activities of the organizations of the United Nations system on the implementation of the Declaration on the Right to Development (resolution 46/___) (draft resolution A/C.3/46/L.46, para. 8)

Report of the Secretary-General on human rights and mass exoduses (resolution 46/___) (draft resolution A/C.3/46/L.55, paras. 20-23)

Report of the Secretary-General on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (resolution 46/___) (draft resolution A/C.3/46/L.60, para. 11)

<u>Questions for consideration for which no advance documentation has been requested</u>

Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social developemnt of Member States (resolution 45/98, para. 6)

International cooperation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms (resolution 45/169, para. 9)

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (resolution 46/___) (draft resolution A/C.3/46/L.34/Rev.1, para. 13)

Human rights and extreme poverty (resolution 46/___) (draft resolution A/C.3/46/L.39/Rev.1, para.6)

Elimination of all forms of religious intolerance (resolution 46/___) (draft resolution A/C.3/46/L.63)

(c) Human rights situations and reports of special rapporteurs and representatives

Relevant chapter of the report of the Economic and Social Council on:

- Situation of human rights in Iraq (resolution 46/___) (draft resolution A/C.3/46/L.53, para. 8)

- Situation of human rights in Afghanistan (resolution 46/___) (draft resolution A/C.3/46/L.58, para. 21)

Questions for consideration for which no advance documentation has been requested

Situation in Myanmar (resolution 46/___) (draft resolution A/C.3/46/L.43, para. 4)

Situation of human rights and fundamental freedoms in El Salvador (resolution 46/___) (draft resolution A/C.3/46/L.51, para. 10)

1993 15/

Item 1. Report of the Economic and Social Council

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

Documentation

Relevant chapters of the report of the Economic and Social Council on questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

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15/ The programme of work and documentation for 1993 will be revised in the light of the relevant decisions taken by the Economic and Social Council in 1993.

Item 2. Elimination of racism and racial discrimination

Documentation

Relevant chapter of the report of the Economic and Social Council (resolution 46/___) (draft resolution A/C.3/46/L.9/Rev.1, para. 24)

Report of the Committee on the Elimination of Racial Discrimination (resolutions 2106 A (XX) and 46/___) (draft resolution A/C.3/46/L.8, para. 11)

Report of the Secretary-General on the activities relating to the Second Decade to Combat Racism and Racial Discrimination (resolution 46/___) (draft resolution A/C.3/46/L.9/Rev.1, para. 24)

Report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (resolution 3380 (XXX) and draft resolution A/C.3/46/L.11, para. 11)

Item 3. Right of peoples to self-determination

No advance documentation requested.

Item 4. Social development

(a) Questions relating to the world social situation and to youth, ageing, disabled persons and the family

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the world social situation (resolutions 44/56 and 46/___) (draft resolution A/C.3/46/L.20)

Report of the Secretary-General on the progress achieved in the implementation of and follow-up action to the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future (resolution 46/___) (draft resolution A/C.3/46/L.4, para. 13)

Report of the Secretary-General on the International Year of the Family (resolution 46/___) (draft resolution A/C.3/46/L.6, para. 14)

(b) Crime prevention and criminal justice

Documentation

Relevant chapter of the report of the Economic and Social Council on, inter alia, international cooperation in combating organized crime (resolutions 44/71, para. 3, and 45/123, para. 3)

Item 5. Advancement of women

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the Committee on the Elimination of Discrimination against Women

Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (resolution 45/124, para. 4)

Report of the Secretary-General on the improvement of the situation of women in rural areas (resolution 44/78, para. 4)

Annual report of the Secretary-General on progress and future strategies to implement action programmes on the status of women in the Secretariat (resolution 44/75, para. 6)

Report of the Administrator of the United Nations Development Programme on the United Nations Development Fund for Women (resolution 46/___) (draft resolution A/C.3/46/L.14)

Report of the Secretary-General on the United Nations International Research and Training Institute for the Advancement of Women (resolution 46/___) (draft resolution A/C.3/46/L.16, para. 9)

Item 6. Narcotic drugs

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (resolution 45/146, para. 7)

Annual report of the Secretary-General on the implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (resolution 46/___) (draft resolution A/C.3/46/L.31, para. 5)

Item 7. Report of the United Nations High Commissioner for Refugees, questions relating to refugees and displaced persons and humanitarian questions

(a) Report of the United Nations High Commissioner for Refugees

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the United Nations High Commissioner for Refugees

(b) Questions relating to refugees, returnees and displaced persons

(c) Humanitarian questions

Documentation

Item 8. Human rights questions

(a) Implementation of human rights instruments

Documentation

Relevant chapter of the report of the Economic and Social Council

Report of the Committee against Torture (resolution 39/46)

Report of the Huma.. Rights Committee

Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights (resolution 46/___) (draft resolution A/C.3/46/L.49, para. 18)

Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (resolution 36/151)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Documentation

Relevant chapter of the report of the Economic and Social Council, inter alia, on:

- Popular participation in its various forms as an important factor in development and in the full realization of all human rights (resolution 44/53, para. 2)

Report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (see decision 45/433)

Report of the Secretary-General on human rights in the administration of justice (resolution 46/___) (draft resolution A/C.3/46/L.38, para. 9)

Report of the Secretary-General on national institutions for the protection and promotion of human rights (resolution 46/___) (draft resolution A/C.3/46/L.48, para.15)

Questions for consideration for which no advance documentation has been requested

Human rights and scientific and technological progress (resolution 46/__) (draft resolution A/C.3/46/L.54, para. 6)

Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity (resolution 46/___) (draft resolution A/C.3/46/L.59)

(c) Human rights situations and reports of special rapporteurs and representatives

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Agenda item 98 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Programme budget implications of draft resolution A/C.3/46/L.61/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 7 to 15, 17 and 18 of draft resolution A/C.3/46/L.61/Rev.1, the General Assembly would:

(a) Affirm the value of the electoral assistance that the United Nations has provided at the request of Member States, in the context of full respect for their sovereignty;

(b) Believe that the international community should continue to give serious consideration to ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures;

(c) Endorse the Secretary-General's view that he should designate a senior official in the Offices of the Secretary-General to act as focal point, in addition to existing duties and in order to ensure consistency in the handling of requests, who would assist the Secretary-General to coordinate and consider requests for electoral verification and to channel requests for electoral assistance to the appropriate office or programme, to ensure careful consideration of requests for electoral verification, to build on experience

gained to develop an institutional memory, to develop and maintain a roster of international experts who could provide technical assistance as well as assist in the verification of electoral processes, and to maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them and the avoidance of duplication of efforts and request the Secretary-General to designate such an official to take on these tasks;

(d) Determine that the designation of the senior official would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance nor prejudice the operational arrangements for missions that the Organization may decide to undertake;

(e) Request the Secretary-General to allocate, from within existing resources and as appropriate, a small number of staff and other resources to support the designated senior official in carrying out his or her functions;

(f) Commend the Centre for Human Rights and the Department of Technical Cooperation for Development of the Secretariat, and the United Nations Development Programme for the technical electoral assistance they have provided and are providing to requesting Member States, and request that they collaborate closely with and inform the senior official designated by the Secretary-General of the assistance provided and activities undertaken by them in the area of electoral assistance;

(g) Ask the Secretary-General to notify the competent organ of the United Nations upon receipt of official requests by a Member State for electoral verification and upon the direction of that organ, to provide appropriate assistance;

(h) Request the Secretary-General to establish, in accordance with United Nations financial regulations, a voluntary trust fund for cases where the requesting Member State is unable to finance, in whole or in part, the electoral verification mission and to propose guidelines for disbursements therefrom;

(i) Affirm the effectiveness of and the need for coordination with intergovernmental organizations, including regional organizations, having international electoral assistance experience;

(j) Invite those Member States that have not responded to the Secretary-General's request pursuant to paragraph 10 of resolution 45/150 to submit views concerning suitable approaches that will permit the Organization to respond to the requests of Member States for electoral assistance, to do so in order that the Secretary-General can include these views in his next report to the General Assembly;

(k) Request the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of this resolution, on the Organization's experience in and recommendations for providing electoral

assistance to Member States, on the detailed guidelines and terms of reference being developed for United Nations electoral involvement and on the nature and disposition of the requests from Member States, under the item entitled "Human rights questions".

B. Relationship of proposed request to the approved programme of work

2. The above requests are not covered by the medium-term plan for the period 1992-1997, 1/ nor are relevant activities included in the proposed programme budget for the biennium 1992-1993, 2/ although they are most closely related to programme 35 (Promotion and protection of human rights) of the plan.

C. Activities by which the proposed request would be implemented

3. Should the General Assembly adopt the draft resolution, the Secretary-General would designate a senior official in his Offices to act as focal point for electoral matters, a function which that official would carry out in addition to his or her other responsibilities. The focal point would assist the Secretary-General in the consideration and channelling of requests for electoral verification or assistance to the appropriate office or programme, ensure carefully considered responses to such requests, build on experience gained to develop an institutional memory of United Nations experience in the electoral field, and develop and maintain a roster of international experts who could provide technical assistance as well as assist in the verification of electoral processes. The focal point would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance. The responsibilities of the focal point would be without prejudice to operational arrangements for missions that the Organization might decide to undertake and would be confined to the conceptual level. The focal point would collaborate closely with organizations and programmes of the United Nations system active in providing technical electoral assistance, and in particular the Centre for Human Rights, the Department of Technical Cooperation for Development and the United Nations Development Programme.

4. The focal point would also work with offices and departments having experience in this field, to assist the Secretary-General in developing detailed gudelines and terms of reference for United Nations electoral involvement. He or she would also prepare uniform criteria for the assessment of electoral processes and prepare a manual for use by United Nations election monitors. The focal point would also be responsible for organizing preliminary missions to determine United Nations responses to requests for electoral verification.

5. The Secretary-General would also establish a voluntary trust fund to finance electoral assistance missions, as appropriate, it being understood that questions for financing would be decided on a case-by-case basis, taking

into account the particular circumstances of each situation. He would also notify the competent organ of the United Nations upon receipt of official requests for electoral verification. Furthermore, he would report to the General Assembly at it forty-seventh session pursuant to the requests contained in paragraph 1 (k) above.

D. Modifications required in the proposed programme of work for 1992-1993

6. As noted in section B above, activities in this area are not programmed in the proposed programme budget for the biennium 1992-1993 and, pending results of the activities outlined in section C above, modifications to the proposed programme of work appear premature. Inclusion of this activity in the medium-term plan for the period 1992-1997 may, however, be considered in the context of the next revisions to the plan.

E. Estimated requirements in 1992-1993 at full cost

7. The activities outlined in section C above would require a considerable effort during an initial period to prepare detailed guidelines and terms of reference to be submitted to the General Assembly at its forty-seventh session, prepare a manual for use by United Nations election monitors, develop a system for an institutional memory of United Nations experience in the electoral field, develop a roster of international experts and establish working relationships with relevant organizations and programmes of the United Nations system. Thereafter, the regular workload should diminish, although actual requirements would depend upon the number and nature of situations requiring the assistance of the United Nations. The ongoing functions would include the consideration and channelling of requests on the basis of established criteria and the preparation of requests; the maintenance of the institutional memory and the roster of experts; and the organization of preliminary missions to help determine United Nations responses to requests for electoral verification.

8. It is estimated that during the initial period, were a senior official in the Offices of the Secretary-General to be designated as focal point on electoral matters, two Professional staff members with experience in electoral verification matters (P-5 and P-3) would be required, together with provision for a secretary and limited consultancies and office automation equipment. On a full-cost basis, the related requirements for 1992-1993 would amount to $526,100, as follows:

	$
Consultants	30 000
Temporary posts	349 600
Common staff costs	134 600
Acquisition and maintenance of office automation equipment	11 900
Total	526 100

F. Potential for absorption

9. In accordance with the request contained in paragraph 1 (e) above, the Secretary-General would make every effort to avoid additional requirements through exploring possibilities for redeployments, alternative arrangements or non-reimbursable loans of staff from relevant organizations and programmes of the United Nations system. It is doubtful, however, that such ad hoc means will suffice to provide the senior official with adequate resources to implement satisfactorily the requests contained in draft resolution A/C.3/46/L.61/Rev.1. Furthermore, until the senior official has been designated and has had an opportunity to develop his or her programme of work and consult on possible ways of undertaking it, it will be very difficult to determine exactly to what extent related requirements can be absorbed.

10. Accordingly, should the Secretary-General find it necessary, he would seek the agreement of the Advisory Committee on Administrative and Budgetary Questions to his entering into related commitments for 1992 under the procedures for unforeseen and extraordinary expenses.

G. Summary

11. Should the General Assembly adopt draft resolution A/C.3/46/L.61/Rev.1, no additional appropriation would be requested at this stage.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 6 (A/45/6/Rev.1).

2/ Ibid., Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1).

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SOCIAL DEVELOPMENT: CRIME PREVENTION AND CRIMINAL JUSTICE

Programme budget implications of the draft resolution entitled "Creation of an effective United Nations crime prevention and criminal justice programme" contained in document A/46/703

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. Pursuant to General Assembly resolution 45/108 of 14 December 1990, the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, held in Paris in November 1991, has recommended for adoption by the General Assembly at its current session a draft resolution entitled "Creation of an effective United Nations crime prevention and criminal justice programme". In accordance with the provisions of resolution 45/108, the Ministerial Meeting had before it a note by the Secretary-General on possible programme budget implications of the programme of activities proposed to the Meeting by the Intergovernmental Working Group on the Creation of an Effective International Crime and Justice Programme on the resources and organization of the Secretariat. 1/

A. Request contained in the draft resolution

2. Under the terms of operative paragraphs 2, 7, 10, 11, 12 and 13 of the draft resolution, the General Assembly would:

(a) Approve the statement of principles and programme of action, annexed to the resolution, recommending the establishment of a United Nations crime prevention and criminal justice programme;

(b) Request the Secretary-General to take the necessary action within the overall existing United Nations resources and to provide appropriate resources for the effective functioning of the United Nations crime prevention and criminal justice programme in accordance with the principles outlined in the statement of principles and programme of action;

(c) Decide that a commission on crime prevention and criminal justice should be established as a functional commission of the Economic and Social Council, which would hold its inaugural meeting during 1992, that the meeting of the Committee on Crime Prevention and Control scheduled for February 1992 should be cancelled, and that the funds necessary for the work of the new commission be redeployed within the budget for the biennium 1992-1993;

(d) Request the Economic and Social Council at its organization session of 1992:

(i) To dissolve the Committee on Crime Prevention and Control;

(ii) To establish the commission on crime prevention and criminal justice as a new functional commission of the Economic and Social Council, in accordance with the recommendations contained in the statement of principles and programme of action;

(iii) To endorse the role and functions of the United Nations congresses on the prevention of crime and the treatment of offenders, in accordance with the recommendations contained in the statement of principles and programme of action;

(e) Decide that the present members of the Committee on Crime Prevention and Control should be invited to participate during the first two days of the inaugural session of the new commission, at the expense of their respective Governments, except in the case of Committee members from least developed countries, in order to facilitate an orderly transition;

(f) Also decide to retain for the United Nations crime prevention and criminal justice programme, without prejudice to additional funds that may be made available by the Secretary-General, all funds currently allocated to the programme, as well as any savings realized by restructuring.

B. Description of activities proposed in the draft resolution and their estimated requirements at full cost

3. The above proposals fall under major programme V, International cooperation for social development, programme 29, Crime prevention and criminal justice, of the medium-term plan for the period 1992-1997. 2/ The proposals are also part of section 12, Regular programme of technical cooperation, and section 21, Social development and humanitarian affairs, of the proposed programme budget for the biennium 1992-1993. 3/ The resources

under the regular budget proposed for those activities in the 1992-1993 proposed programme budget amount to $3.7 million in rounded terms.

4. The statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to the draft resolution, elaborates on new objectives and goals for crime prevention and criminal justice and contains a number of recommendations to enhance the institutional framework for the activities of the United Nations in this area.

5. The scope of the proposed programme of action has been analysed against the activities adopted by the General Assembly under programme 29 of the medium-term plan for the period 1992-1997 and subsequent mandates adopted by the Assembly at its forty-fifth session in the area of crime prevention and criminal justice. The proposed programme of action has also been compared with the activities contained in sections 12 and 21 of the proposed programme budget for the biennium 1992-1993. The programme of action emphasizes an effective and practical assistance to Member States through the strengthening of regional and international cooperation, including technical cooperation, in crime prevention, criminal justice and the combating of transnational crime. Research and studies would be undertaken at the regional and global levels on specific prevention issues and criminal justice measures. Regular international surveys would assess trends in crime and developments in the operation of criminal justice systems and in crime prevention strategies. Exchanges and dissemination of information on crime prevention and criminal justice would be intensified.

6. Such activities would include:

(a) Assisting developing countries in modernizing their legislation and procedures and in developing criminal codes and laws, both substantive and procedural, tailored to their legal systems, cultures, traditions and special needs, including the development of model laws and other prototypes; developing educational materials and training curricula for use by all concerned; developing and implementing policies to assure the administration of criminal sanctions in a manner consonant with universally accepted standards; maintaining international standardized methods of data collection and exchange on topics agreed upon by Member States and, in particular, the timely exchange of criminal justice statistics;

(b) Creating a favourable international climate for combating crime through the development of means of recourse and redress for victims of crime and abuse of power; helping Member States in developing preventive measures to reduce problems of transnational crime; and promoting voluntary and cooperative efforts by States to counteract such forms of crime and to evaluate, on a continuing basis, the practical potential for international responses to crime, through permanent or temporary institutions of a universal or regional character.

7. Should the General Assembly adopt the draft resolution, the following course of action would be taken by the Secretariat:

(a) Activities outlined in paragraphs 5 and 6 above would represent a significant expansion of international cooperation, including its technical cooperation component, in the context of the activities programmed under programme 29 of the medium-term plan for the period 1992-1997. A revision of this programme would be necessary and would be presented to the General Assembly at its forty-seventh session through the Committee for Programme and Coordination;

(b) The expansion of the activities as detailed in the programme of action, in particular in paragraphs 17 to 20 of the statement of principles, would also require revision of the programme and resources proposed under sections 12 and 21 of the proposed programme budget for the biennium 1992-1993. The related specific activities for the biennium 1992-1993 are currently being developed by the Centre for Social Development and Humanitarian Affairs. Upon completion, such activities would be proposed to the General Assembly for approval at its forty-seventh session;

(c) The recommendation made by the Ministerial Meeting for a change in the organizational structure of the Secretariat responsible for the implementation of programme 29 of the medium-term plan would also call for additional resources. At present, the Crime Prevention and Criminal Justice Branch is part of the Division for Social Development of the Centre for Social Development and Humanitarian Affairs. Should the Branch become a Division, it would remain part of the Centre and would be headed by a Director at the D-2 level. Additional Professional posts and increases in other objects of expenditure might also be required. A management review would be undertaken.

8. The additional requirements for the biennium 1992-1993 call for the following comments:

(a) A recommendation of the Ministerial Meeting proposed in operative paragraph 7 of the draft resolution requests the Secretary-General to take the necessary action and provide resources for the effective functioning of the United Nations crime prevention and criminal justice programme within the overall United Nations resources. This recommendation is interpreted as a proposal to implement the draft resolution through redeployment of resources within the 1992-1993 proposed programme budget. Such redeployment, within section 21, is extremely difficult, given the mandates to be implemented during the biennium. A redeployment from other section(s) of the proposed programme budget would require a careful analysis, a decision within the Secretariat through the appropriate process and a proposal to the General Assembly through the Advisory Committee on Administrative and Budgetary Questions. Normally, the Committee for Programme and Coordination would also be consulted. The proposed programme budget for the biennium 1992-1993 is currently being considered by the Fifth Committee. It is, therefore, too late for initiating the process mentioned above;

(b) The need to strengthen the organizational structure of the Secretariat responsible for the implementation of the activities in the crime prevention and criminal justice programme has already been recognized in the

context of overall review of the strengthening of the United Nations Office at Vienna, made in response to General Assembly resolution 45/248 of 21 December 1990. It is indicated in that review that, in the light of recent intergovernmental decisions relating to crime prevention and criminal justice and the growing work programme, the existing Crime Prevention and Criminal Justice Branch of the Social Development Division needs to be upgraded into a Division and be placed under the direct supervision and guidance of the head of the Centre. The structural, administrative and budgetary aspects of that restructuring, as well as issues of the workload and other aspects of functioning of the Branch in relation to its additional mandates, however, require a separate initial management review, which would be conducted in 1992. Proposals would be submitted to the General Assembly at its forty-seventh session.

9. The course of action outlined in paragraphs 7 and 8 above implies that the proposed programme of activities would be implemented in 1992 with the resources to be appropriated by the General Assembly for sections 12 and 21 for the biennium 1992-1993. Possibilities for redeployments in the course of 1992 would be studied by the Secretary-General and presented to the General Assembly according to established procedures.

10. A new Commission on Crime Prevention and Criminal Justice as a functional commission of the Economic and Social Council to replace the current Committee on Crime Prevention and Control would have to be provided with: (a) conference-servicing coverage of all its proceedings on the basis of established United Nations standards; and (b) travel expenses, but not subsistence costs, for the Commission's members would be reimbursed by the United Nations.

11. On the assumption that the Commission's annual sessions would be of 10 working days, the conference-servicing requirements at full cost for the biennium 1992-1993 would amount to $1,224,000. Bearing in mind that the conference-servicing entitlement for the same period for the Committee on Crime Prevention and Control totals $583,000, the additional conference-servicing requirements at full cost for the Commission would be estimated at $641,000.

12. The travel costs for 32 members of the Commission to attend its annual sessions in the next biennium are estimated at $140,000. This would be offset in part by the provision of $96,000 under section 21 for travel and per diem of the members of the Committee on Crime Prevention and Control to attend its twelfth session in 1992. The remaining balance of $44,000 represents additional requirements for the biennium 1992-1993.

13. As regards the proposal in paragraph 12 of the draft resolution for the United Nations to defray the travel costs of members of the Committee on Crime Prevention and Control from least developed countries who would attend the first two days of the inaugural session of the Commission on Crime Prevention and Criminal Justice, it is understood that the former members of the dissolved Committee on Crime Prevention and Control would be invited to

participate in the proceedings of the Commission in their personal capacity. On that understanding, the experts from the least developed countries would be entitled to travel and per diem to be paid by the United Nations.

14. There are six experts from least developed countries who are currently members of the Committee on Crime Prevention and Control. Should the General Assembly decide to bear the costs of the travel referred to in paragraph 13 above, a provision of $28,000 would be required.

C. Potential for absorption

Conference-servicing costs

15. As indicated in paragraph 11 above, the estimates of conference-servicing costs totalling $641,000 would be provided from the overall conference-servicing capacity of the Organization. Those estimates are based on the theoretical assumption that no part of the conference-servicing requirements would be met from within the permanent conference-servicing capacity under section 32, Conference services, of the proposed programme budget for the biennium 1992-1993, and that additional resources would be required for temporary assistance for meetings. The extent to which the Organization's permanent capacity needs to be supplemented by temporary assistance resources can be determined only in the light of the proposed calendar of conferences for the biennium 1992-1993. As indicated in section 32, paragraph 32.5, of the proposed programme budget, however, the level of resources for temporary assistance for meetings in 1992-1993 was estimated on the basis of previous experience to accommodate not only meetings which are programmed, but also additional meetings. In other words, provision was made in the proposed programme budget not only for meetings known at the time of budget preparation, but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in the biennium 1992-1993 was consistent with the pattern of meetings in past years. On that basis, it is estimated that no additional resources would be required under section 32 of the proposed programme budget for the biennium 1992-1993 as a result of the adoption of the draft resolution.

Non-conference-servicing costs

16. As indicated in paragraphs 12 and 14 above, the estimated additional requirements in connection with the activities of the Commission on Crime Prevention and Criminal Justice amount to $72,000. These requirements represent additional expenditures for the next biennium under section 21, to be treated in the context of the guidelines for the use of the contingency fund.

D. Contingency fund

17. Under the procedures established by the General Assembly in resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. If additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through redeployment of resources from low-priority areas or modification of proposed activities. Otherwise, such additional activities will have to be deferred to a later biennium. In addition, each statement of programme budget implications and each proposed revised estimates should contain alternatives to the financing from the contingency fund of the proposed new activities.

18. In the event that the additional $72,000 cannot be financed from the contingency fund, the following activities of low priority under section 21 (programme D, Crime prevention and criminal justice) would be postponed to the biennium 1994-1995:

Subprogramme 3. Crime prevention and criminal justice standards and norms

5. Operational activities

Training courses on: the implementation of United Nations standards on the role of police and the use of force and firearms by law enforcement officials; two training seminars on the implementation of United Nations standards on juvenile justice and the treatment of prisoners and victims; and two workshops on non-violent conflict resolution and other means of preventing serious victimization. (Six work-months of Professional staff and four work-months of General Service staff and $12,000 of operational costs.) The costs associated with the above activities of low priority totalling $72,000 would be utilized for the financing of activities called for in the draft resolution.

E. Summary

19. Should the General Assembly adopt the draft resolution recommended by the Ministerial Meeting (A/46/703, annex), an additional appropriation of $72,000 would be required at this stage under section 21 of the proposed programme budget, subject to the guidelines for the operation and use of the contingency fund.

20. The Secretary-General would submit to the General Assembly at its forty-seventh session a revision to programme 29 of the medium-term plan for the period 1992-1997 and revised estimates under section 21 of the proposed programme budget for the biennium 1992-1993 in relation to activities in the area of crime prevention and criminal justice.

Notes

1/ A/CONF.156/3.

2/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 6 (A/45/6).

3/ Ibid., Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1).

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Cuba: amendments to revised draft resolution A/C.3/46/L.61/Rev.1

Enhancing the effectiveness of the principle of periodic and genuine elections

1. In the seventh preambular paragraph, delete the phrase ", in accordance with the will of its people,".

2. After the seventh preambular paragraph, insert the following two preambular paragraphs:

"Also recalling the principle enshrined in article 2, paragraph 7, of the Charter of the United Nations, which establishes that 'nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter, ...,'

"Recognizing that the holding of elections is a matter falling within the domestic jurisdiction of States,".

3. In the first line of the eleventh preambular paragraph, replace the word "verification" by the word "assistance".

4. Add a new paragraph after the last preambular paragraph, reading:

"Taking into account that most of the Member States that replied opposed the establishment of a new United Nations structure to verify elections or provide electoral assistance as is recognized in paragraph 80 of the Secretary-General's report,".

5. In operative paragraph 1, delete the words "with appreciation" after the words "Takes note".

6. In operative paragraph 5, delete the phrase ", in accordance with the will of their people,".

7. Replace operative paragraphs 9-16 by the following two paragraphs:

"9. Requests the Secretary-General to prepare suggestions on the criteria that ought to be met in the consideration of requests from Member States for electoral assistance based on the opinions of Member States in this regard;

"10. Invites Member States to carry out informal consultations on the proposals presented by the Secretary-General in his report for the due consideration of the General Assembly at its forty-seventh session, under the coordination of the Chairman of the Third Committee;".

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THIRD COMMITTEE
Agenda item 94 (b)

SOCIAL DEVELOPMENT: CRIME PREVENTION AND CRIMINAL JUSTICE

Ghana: draft decision*

Establishment of a Commission on Crime Prevention and Criminal Justice

The General Assembly,

Decides, in connection with the recommendation to establish a Commission on Crime Prevention and Criminal Justice, that:

(a) The principle of equitable geographical distribution shall be the basis of the distribution of seats on the Commission;

(b) The action of the Economic and Social Council at its organizational session of 1992, relating to the distribution of seats, should be guided only by this decision.

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* Submitted on behalf of the States Members of the United Nations that are members of the Group of 77.

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Forty-sixth session
THIRD COMMITTEE
Agenda item 94 (b)

SOCIAL DEVELOPMENT: CRIME PREVENTION AND CRIMINAL JUSTICE

Ghana: proposed amendments to the draft resolution* entitled "Creation of an effective United Nations Crime Prevention and Criminal Justice Programme" contained in chapter II, section A of the report of the Ministerial Meeting on the Creation of an effective United Nations Crime Prevention and Criminal Justice Programme**

1. In operative paragraph 7, insert the phrase "in accordance with the financial rules and regulations of the United Nations" after the words "existing United Nations resources".

2. In operative paragraph 10, replace the word "decides" with the word "recommends"; delete the word "should" before the words "be established" and before the words "be cancelled"; and replace the words "be redeployed" with the words "be made available".

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* Submitted on behalf of the Member States of the United Nations that are members of the Group of 77.

** A/46/703, annex.

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SOCIAL DEVELOPMENT: CRIME PREVENTION AND CRIMINAL JUSTICE

Programme budget implications of draft resolution A/C.3/46/L.67, entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders"

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. Under the terms of operative paragraph 2 of draft resolution A/C.3/46/L.67, the General Assembly would request the Secretary-General to ensure that sufficient resources are provided to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) within the overall appropriations of the budget for the biennium 1992-1993 to enable the Institute to carry out, in full and on time, all its mandates.

2. In addition to the United Nations Interregional Crime and Justice Research Institute (UNICRI), located in Rome, which has an overall mandate for research in this domain, there are four regional United Nations institutes on crime prevention, in Africa, Asia, Latin America and Europe. At this point, all these institutes are financed outside the regular budget of the United Nations.

3. UNAFRI was established in 1987 by the Economic Commission for Africa (ECA). In accordance with the statute of UNAFRI, its administrative and programme costs are to be financed by the assessed contributions of African member States under a specific scale of assessment, while its operational activities are to be funded by the United Nations Development Programme (UNDP). The information available to the Secretary-General on the actual and projected financial situation of UNAFRI is incomplete. It seems however, as indicated in the Secretary-General's report on UNAFRI and other United Nations institutes for crime prevention and criminal justice

(A/46/524), that only three States members of ECA have paid their contributions in full for 1989-1990, while a few others have made a partial payment. As approved by the Board of Trustees of the Institute, its budget for 1991 amounted to $820,000, of which $460,000 would come from UNDP and $360,000 from African member States. Although no precise data are available to the Secretariat on the contributions actually received, it is clear that the situation of the Institute is precarious.

4. Apart from voluntary contributions, the request to the Secretary-General made in operative paragraph 2 of the draft resolution could in theory be accommodated through three different approaches:

(a) A first approach would be the redeployment of resources from within section 21, Social development and humanitarian affairs, and particularly its subsection D, Crime prevention and criminal justice, of the proposed programme budget for the biennium 1992-1993. 1/ The resources proposed under this section in relation with the mandated activities do not allow for such redeployment. However, should the General Assembly adopt the resolution proposed by the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, 2/ revised estimates for section 21 would be submitted to the General Assembly at its forty-seventh session. It could also be envisaged to redeploy resources from section 23, Economic Commission for Africa, 3/ and particularly from subprogramme 7, Social development. Redeployments from this subprogramme to other subprogrammes of ECA are, however, already proposed by the Secretary-General for the biennium 1992-1993;

(b) A second approach would be the redeployment from other sections of the proposed programme budget. At this stage, in the context of the deliberation of the General Assembly on the programme budget, this solution is not feasible;

(c) A third approach would be the provision of resources to the Institute through additional appropriations from the regular budget. Taking the 1991 budget of the Institute as a base, a grant of $180,000, representing half the contribution of African member States, could be provided as a grant under section 23 of the proposed programme budget for the biennium 1992-1993. Such a grant for 1992 would assist in the covering of the administrative costs of the Institute. The Secretary-General would report to the General Assembly at its forty-seventh session on the longer term solution to the financing of this Institute.

5. Should the General Assembly decide to appropriate an amount of $180,000 for UNAFRI under section 23, the procedure for the use of the contingency fund would apply. However, given the nature of this appropriation, the Secretary-General is not in a position to provide an alternative in case resources would not be sufficient in the contingency fund. The only possible alternative would be to defer implementation of operative paragraph 2 of the draft resolution.

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1), vol. I.

2/ A/46/703, annex, sect. II.A.

3/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1), vol. II.